IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9245 OF 2007

Mrs.Yvette Dias and ors. ...Petitioners
Versus
Percy L.D'Abreo and ors. ....Respondents

Clive D'souza Adv. for the petitioners.
M.A.Khan Adv. for respondent no.1.

CORAM: S.C.DHARMADHIKARI, J.

18th December, 2007.

P.C. :

1. There is no reason to interfere under Article 227 of the Constitution of India with a discretionary order of the lower Appellate court restoring an Appeal, which was earlier dismissed in default. The lower Appellate Court has exercised the discretion in consonance with the principles of fair play, equity and justice. Writ Petition is dismissed. Further, the lower Appellate court to endeavour and dispose off the Appeal as expeditiously as possible. No costs.

sd/-

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